

## Partner Response Form

### Instructions

1. Yellow fields are required. If any are blank, EPA will reject your submittal.
2. If you do not include a representative signature at the bottom of this form, EPA will reject your submittal.
3. Select Option A or Option B below, and complete all of the corresponding sections.
  - Option A, Submitting Product Control Measures: Complete Sections I, II, III, V, and VI. Check here if selecting Option A: ☐
  - Option B, Disputing the pending disqualification: Complete Sections I, II, IV, V, and VI. Check here if selecting Option B: ☒
4. Click on each field for additional instructions.

Save your completed form as "Testing Failure\_[Company Name]\_[EPA Case Number]" and submit it to [enforcement@energystar.gov](mailto:enforcement@energystar.gov). EPA will review your submittal, and notify you once the form is approved or if additional information is necessary.

### Section I: Product and Shipping Information (Option A or B)

<b>Partner Name</b> (company):	[REDACTED]	<b>Date Last Manufactured:</b>	[REDACTED]
<b>EPA Case Number</b> (from EPA letter):	[REDACTED]	<b>Date of Last Sales Shipment</b> (labeled units):	[REDACTED]
<b>Original Equipment Manufacturer (OEM):</b>	N/A	<b>Recipient of Last Sales Shipment</b> (labeled units):	[REDACTED]
<b>Test Failure Notification Date:</b>	[REDACTED]	<b>Destination of Last Sales Shipment</b> (labeled units):	[REDACTED]
<b>Tested Unit's Brand Name:</b>	[REDACTED]	<b>Units Shipped in Last 6 months</b> (labeled units):	[REDACTED]
<b>Model's ENERGY STAR Product Category:</b>	[REDACTED]	<b>Total Units Manufactured</b> (labeled units):	[REDACTED]
<b>Disqualified Model Number</b> (from EPA letter):	[REDACTED]		

### Section II: Contact Information (Option A or B)

<b>Point of Contact at Your Company:</b>	[REDACTED]	<b>Original Equipment Manufacturer (OEM) Contact:</b>	
<b>Title:</b>	[REDACTED]	<b>Title:</b>	
<b>Email:</b>	[REDACTED]	<b>Email:</b>	
<b>Phone:</b>	[REDACTED]	<b>Phone:</b>	
<b>Additional Contacts?</b> <i>Name (Email)</i>			

### Section III: Certification of Product Control Measures (PCM) (Option A)

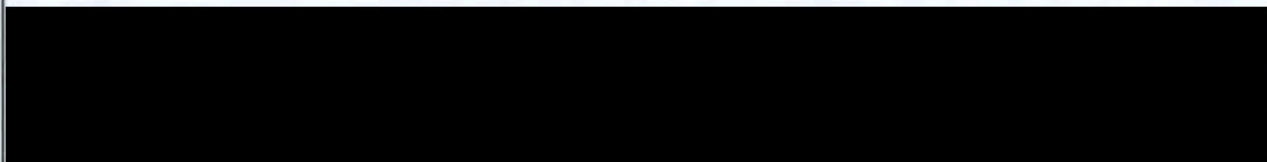
**Only complete this section if submitting product control measures. If disputing the pending disqualification, proceed to Section IV.**

For the model numbers in Sections I and V, the company named in the Partner Name field of Section I is undertaking the following measures. Note: If you seek to deviate from the proposed measures after EPA has approved them, you must notify EPA prior to making any changes.

**1) Inform your distribution chain that the model(s) is/are not ENERGY STAR certified:**

EPA requires that you notify all downstream parties to whom you directly sold the model(s) as ENERGY STAR certified in the last two years, including all distributors, online and in-store retailers, consumers, and other affected organizations (e.g., utilities), that the model(s) is/are no longer ENERGY STAR certified. Specifically, the following statement must be included in all communications: "This product failed verification testing and has been disqualified from ENERGY STAR." Use the table below to submit a list of these entities. If you need additional rows, submit with this form a supplementary document listing the additional organizations contacted. Enter "N/A" for any unused rows.

Organization Name:	Organization Type:	Proposed or Actual Completion Date:
e.g., Big Box Store	e.g., National Retailer	e.g., 3/15/12


☐

**2) Remove the ENERGY STAR mark from all:**

	Applicable?	Proposed or Actual Completion Date:	Number of Units:
a) Affected Units: (within your control)			
	Applicable?	Proposed or Actual Completion Date:	Number of Units:
b) Unit Packaging: (within your control)			
	Applicable?	Proposed or Actual Completion Date:	URL of Modified Website:
c) Website References to Model(s):			
	Applicable?	Proposed or Actual Completion Date:	Example of Modified Marketing Material:



d) Marketing Materials:  
(e.g., spec sheets)

#### Section IV: Dispute Disqualification (Option B)

*Complete this section if disputing the pending disqualification.*

If you wish to dispute the test results, you must identify all grounds for dispute using this form. EPA will conduct a technical review of all dispute information submitted by the date specified in the testing failure letter you received, and determine whether to maintain the product(s) as certified. Please note that all bases for disputes must be raised within the comment period in order for EPA to consider that information. All comments should be included in the dispute section of the partner response form linked above, and additional attachments may be included with that submittal. All partners submitting a dispute may request a conference call with EPA to discuss the testing failure and basis for testing dispute.

Check here if you would like to schedule a conference call with EPA to discuss your submittal: ☐

Basis of Dispute:

EPA  
Determination:  
(For EPA use only)

#### Section V, Part 1: Additional Model Numbers (Option A or B)

*If submitting for windows, doors, and skylights products, proceed directly to Section V, Part 2*

Use this section for affected family models. Fill out a new form for any models requiring different actions or estimated completion dates from those entered in Section III.

Additional Model #:		Units Shipped in Last 6 Months:		Date of Last Sales Shipment:	
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*Complete this section only if submitting for windows, doors, and skylights products*

Use this section to identify all affected product options within the product line of the model number entered in Section I.

List the National Fenestration Rating Council (NFRC) Certified Products Directory (CPD) number for any product options qualified on the same basis as the product that failed testing. For example, affected product options may be grouped with or otherwise share components or other product features with the product that failed testing, and a result of the issue(s) identified during verification testing, the affected product options would also fail to meet the ENERGY STAR requirements. If you need additional rows, submit with this form a supplementary document listing the additional affected product options. Enter "N/A" for any unused rows. If no additional product options are affected by this failure, provide an explanation in Section VI.

[illegible]

**Section VI (optional): Additional Comments (Option A or B)**

Use this section to provide EPA with relevant information not included elsewhere in this form.

[Redacted area]

**Representative Signature**

As a representative of this company, I hereby certify on its behalf as to the actions taken or to be taken by it, as described above. Failure to implement these actions as indicated, or to inaccurately certify as completed, may result in partnership suspension or termination, or the loss of other ENERGY STAR program benefits. I understand that intentionally submitting false information to the U.S. government is a criminal violation of the False Statements Act, Title 18 U.S.C. section 1001.

Name (First & Last)

Date

I agree to the above statement

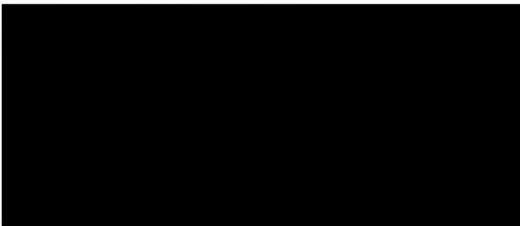
[Redacted signature]



The public reporting and recordkeeping burden for this collection of information is estimated to average 1.5 hours per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.

[Redacted area]





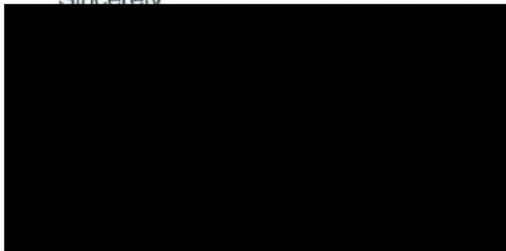
Ann Bailey, Chief  
Energy Star Labeling Branch  
U.S Environmental Protection Agency

Ms. Bailey,

The results of the verification testing do not correlate with previous simulations and tests. In the Notice of Non-Compliance sent to us by NFRC, the insulated glass units in the tested window did not have the proper level of argon and the window tested [REDACTED]. I have no way to dispute the level of argon in the units. If the units contained less than the required percentage of argon, I can only assume that it is the result of an equipment failure or a personnel failure during manufacturing. A window without argon in the units should test to a [REDACTED]. I would expect a unit with any level of argon to test better than a [REDACTED].

We have ceased labeling the products specified in your letter as Energy Star Compliant. We only produce these products if they are ordered and keep no inventory of finished goods on our floor. We have none of the specified products on our floor that need their labels removed or covered.

Sincerely,



Section V, Part 2: Affected Product Options

Product Line Number

